

**Notice of Allowability**

Application No.

09/001,565

Examiner

Jefferey F Harold

Applicant(s)

STABER ET AL.

Art Unit

2644

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/15/2004.
2. ☒ The allowed claim(s) is/are 1,2,5-8,11-18 and 20.
3. ☒ The drawings filed on 31 December 1997 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |                                                                                                                     |                                                                                        |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)                                                    | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|                                                                                                                     | 9. <input type="checkbox"/> Other _____.                                               |

## DETAILED ACTION

### ***Terminal Disclaimer***

1. The terminal disclaimer filed on November 15, 2004 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of patent number 6,026,160 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### ***Allowable Subject Matter***

2. ***Claims 1, 2, 5-8, 11-18 and 20*** are allowed.

3. The following is an examiner's statement of reasons for allowance:

Regarding **claim 1**, the prior art of record discloses a splitter module for mounting in a network interface device (NID) for providing a demarcation point between a pair of outside plant wires and a first and a second pair of inside wires, the first pair of inside wires for carrying a first signal, the second pair of inside wires for carrying a second signal and the pair of outside wires for carrying a combined signal of the first and the second signals, the NID having a housing defining an accessible interior and having a mounting surface therein defining a plurality of mounting locations, the splitter module comprising: (a) a block having a mounting footprint configured for removable attachment to at least one of the mounting locations; (b) an outside plant pair of terminals located on the block and configured for having the pair of outside plant wires connected thereto; however the prior art of record fails to disclose or fairly suggest a splitter circuit housed in the block with a first pair of contacts electrically connected to the outside plant pair of terminals and a second pair of contacts, a first circuit

Art Unit: 2644

component of the circuit electrically between the first and the second pair of contacts and designed to pass only the first signal from the first pair of contacts to the second pair of contacts; a first jack located on the block and electrically connected to the second pair of contacts; a first plug removably located in the first jack to provide a first demarcation point for the first signal; a first inside pair of terminals located on the block, electrically connected to the second pair of contacts through the first demarcation point and configured for having the first pair of inside wires connected thereto; a second inside pair of terminals located on the block, electrically connected to the outside plant pair of terminals so as to receive at least the second signal and configured for having the second pair of inside wires connected thereto; a second jack located on the block and electrically connected in series between the outside plant pair of terminals and the second inside pair of terminals; and a second plug removably located in the second jack to provide a second demarcation point for the second signal.

Regarding **claim 8**, the prior art of record discloses a splitter module for mounting in a network interface device for providing a demarcation point between a pair of outside plant wires and a first and a second pair of inside wires, the first pair of inside wires for carrying a first signal, the second pair of inside wires for carrying a second signal and the pair of outside wires for carrying a combined signal of the first and the second signals, the NID having a housing defining an accessible interior, the splitter module comprising: a block of a size suitable for placement in the interior of the NID, however the prior art of record fails to disclose a splitter circuit housed in the block with a first pair of contacts for electrical connection to the pair of outside plant wires and a

Art Unit: 2644

second pair of contacts, a first circuit component of the circuit electrically between the first and the second pair of contacts and designed to pass only the first signal from the first pair of contacts to the second pair of contacts; a first inside pair of terminals located on the block electrically connected to the second pair of contacts and configured for having the first pair of inside wires connected thereto, a second inside pair of terminals located on the block, electrically connected to the pair of outside plant wires so as to receive at least the second signal and configured for having the second pair of inside wires connected thereto; a POTS jack connected to the block and configured to receive a first plug, the POTS jack electrically connectable to the second pair of contacts for testing the first signal by inserting the first plug into the POTS jack when the POTS jack is electrically connected to the second pair of contacts; and a second jack connected to the block and configured to receive a second plug, the second jack electrically connectable in series between the first pair of contacts and the second inside pair of terminals for testing the second signal by inserting the second plug into the second jack when the second jack is electrically connected to the second inside pair of terminals.

Regarding **claim 15**, the prior art of record discloses an XDSL splitter assembly, comprising a network interface device (NID) for providing a demarcation point between a pair of outside plant wires and a first and a second pair of inside wires, the first pair of inside wires for carrying a POTS signal; however, the prior art of record fails to disclose or fairly suggest wherein the second pair of inside wires for carrying an XDSL signal and the pair of outside plant wires for carrying a combined POTS and XDSL signal, the NID having a housing defining an interior with a plurality of mounting locations; and (b) a

Art Unit: 2644

splitter module comprising: (i) a block with a mounting footprint to be received in at least one of the mounting locations', (ii) an XDSL splitter circuit housed in the block with a first pair of contacts for electrical connection to the pair of outside plant wires and a second pair of contacts, a first circuit component of the circuit electrically between the first and the second pair of contacts and desired to pass only POTS signals from the first pair of contacts to the second pair of contacts; (iii) a first inside pair of terminals located on the block electrically connected to the second pair of contacts and configured for having the first pair of inside wires connected thereto; (iv) a second inside pair of terminals located on the block electrically connected to the pair of outside plant wires so as to receive at least the XDSL signal and configured for having the second pair of inside wires connected thereto; (v) a POTS jack connected to the block and configured to receive a first plug, the POTS jack electrically connectable to the second pair of contacts for testing the POTS signal by inserting the first plug into the POTS jack when the POTS jack is electrically connected to the second pair of contacts; and (vi) an XDSL jack connected to the block and configured to receive a second plug, the XDSL jack electrically connectable in series between the first pair of contacts and the second inside pair of terminals for testing the XDSL signal by inserting the second plug into the XDSL jack when the XDSL jack is electrically connected to the second inside pair of terminals.

Regarding **claim 18**, the prior art of record discloses a splitter module for selectively passing a first signal from a combined signal having the first signal together with a second signal, the splitter module comprising: a housing, a first pair of terminals

Art Unit: 2644

located on the housing, an RJ-11 jack located on the housing and an RJ-11 plug removably inserted in the RJ-11 jack to create a first demarcation point; however, the prior art of record fails to disclose or fairly suggest a first splitter circuit located in the housing and electrically in series between the first pair of terminals and the RJ-11 jack, the first splitter circuit designed to pass only the first signal to the RJ-11 jack when the combined signal is transmitted through the first pair of terminals to the first splitter circuit; and an RJ-45 jack located on the housing and an RJ-45 plug removably inserted in the RJ-45 jack to create a second demarcation point, the RJ-45 jack electrically connected to a point between the first pair of terminals and the first splitter circuit.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

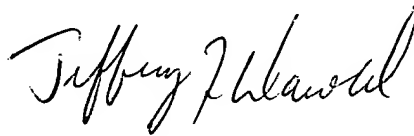
### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F Harold whose telephone number is 703-306-5836. The examiner can normally be reached on Monday - Friday 9 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh H Tran can be reached on 703-305-4040. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2644

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jefferey F Harold  
Examiner  
Art Unit 2644



JFH  
March 7, 2005